

**OFFICE OF THE CHIEF OF POLICE**

**SPECIAL ORDER NO. 29**

**August 28, 2007**

**SUBJECT: REVIEW PROCESS FOR THE GRANTING OF CARRY CONCEALED  
WEAPON PERMIT TO RETIRING OFFICERS**

**EFFECTIVE: IMMEDIATELY**

**PURPOSE:** Though an existing practice exists, there is no formal process in place regarding the Department's decision to grant or deny a Carry Concealed Weapon Permit (CCW) endorsed retired police identification card to a retiring officer. This Order establishes a formal process for the documentation and review of the Department's granting or denial of a CCW endorsed retired police identification card.

**PROCEDURE:** Department Manual Sections 2/092.61 and 3/733.20, Los Angeles Municipal Code Sections 52.29 and 52.30, and California Penal Code (PC) Sections 12027 and 12027.1, delineate the issuance of a CCW endorsed retired police identification card.

The California Penal Code mandates that the Department grant CCW endorsed retired police identification cards to all sworn police officers who have been "honorably retired." "Honorably retired" means that the officer retired in good standing with the Department. This definition does not include those who retire "in lieu of termination" (PC Section 12027) or those who obtain a psychological related disability pension.

Upon an officer's initial retirement, the Department may deny or revoke, for good cause, a retired officer's privilege to carry a concealed firearm. A retiring officer may have the privilege of carrying a concealed weapon revoked or denied by violating "any Departmental rule, or state or federal law that, if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal from the agency" (PC Section 12027.1). Thus, the Department has some discretion to grant or deny a retiring officer's CCW endorsement when there is a pending personnel complaint against a retiring officer.

**I. DEPARTMENT RETIREMENT COUNSELOR, PERSONNEL DIVISION, RESPONSIBILITIES.** A Department Retirement Counselor shall:

- \* Upon receiving a signed letter of intent of retirement, or notification from the Department of Pensions that a disability pension has been granted,

an Intradepartmental Correspondence, Form 15.02.00, shall be forwarded to the retiring officer's commanding officer; and,

**Note:** The Intradepartmental Correspondence is a questionnaire addressing the officer's complaint history, restrictions which may preclude the officer from carrying a concealed weapon, whether or not the officer is eligible for reserve status, and the commanding officer's opinion as to whether or not the officer should be able to carry a concealed weapon.

- \* If there are no objections in response to the questionnaire, make a recommendation to approve the CCW to the Commanding Officer, Personnel Division.

**II. COMMANDING OFFICER, RETIRING OFFICER'S AREA/DIVISION, RESPONSIBILITIES.** The retiring officer's commanding officer shall:

- \* Upon receipt of the questionnaire from Personnel Division, conduct a background check on the retiring officer;
- \* Forward the completed questionnaire to the Department Retirement Counselor, via the Commanding Officer, Personnel Division; and,
- \* If there are any documents prohibiting the retiring officer from carrying a gun, a copy shall be forwarded to the Retirement Counselor, via the Commanding Officer, Personnel Division.

**III. COMMANDING OFFICER, INTERNAL AFFAIRS GROUP, RESPONSIBILITIES.** Upon notification from the Retirement Counselor, the Commanding Officer, Internal Affairs Group (IAG), shall:

- \* Evaluate each complaint on a case-by-case basis;
- \* Determine whether or not the pending complaint would result in the arrest, suspension, or removal of the employee; and,

**Note:** If the complaint would result in the arrest, suspension, or removal of the employee, permission to carry a concealed weapon should generally be denied. However, the seriousness and nature of the misconduct should also be considered.

- \* Forward an Intradepartmental Correspondence recommending the approval or denial of the CCW endorsement to the Retirement Counselor, Personnel Division, via the Commanding Officer, Personnel Division.

**IV. COMMANDING OFFICER, PERSONNEL DIVISION, RESPONSIBILITIES.** The Commanding Officer, Personnel Division, shall:

- \* Upon receiving a recommendation from the Retirement Counselor, approve or deny a CCW endorsement;
- \* If there are pending personnel complaints, contact the Commanding Officer, IAG, for advice and further information regarding the personnel complaint;
- \* Make note of either the approval or disapproval on the officer's locator card, which is maintained at Personnel Division; and,
- \* Document the retiring officer's CCW endorsement in their personnel package.

**V. RETIRING OFFICER'S RESPONSIBILITY.** If a retired officer is denied the privilege of receiving a CCW endorsement, the retiring officer may, within 15 days of the denial, request a hearing. A retiring officer who fails to request a hearing within 15 days of the denial shall forfeit their right to the hearing (Manual Section 2/092.61).

**VI. COMMANDING OFFICER, PERSONNEL GROUP, RESPONSIBILITY.** The Commanding Officer, Personnel Group, shall serve as the Chair of the Carrying a Concealed Weapon Board (Manual Section 2/092.61).

**VII. CARRYING A CONCEALED WEAPON BOARD (RETIREEES).** In addition to the Commanding Officer, Personnel Group, the Carrying a Concealed Weapon Board shall be comprised of a peer member, selected by the retired officer or the Police Protective League, and a Police Commission Hearing Examiner, appointed jointly by the retired officer or the Police Protective League, and the Department by alternately striking names from a list of seven Police Commission Hearing Examiners randomly drawn from the current list.

The Director, Office of Support Services, is the Reviewing Officer for all matters within the jurisdiction of the Carrying a Concealed Weapon Board (Manual Section 2/092.61).

**AMENDMENTS:** This Order amends Department Manual Section 3/733.20.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Personnel Division, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON  
Chief of Police

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